

The Georgia State Board of Pharmacy met on **March 19, 2003 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, GA.**

Members Present:

- John Sherrer, President
- Mickey Tatum, Vice President
- Charles Palmer
- Eddie Madden
- Mike McGee
- Bill Prather
- Roger Lane
- Jeff Lurey

Others Present: Combine these two sets of names

- Bill Atkins, Director, Georgia Drugs and Narcotics Agency
- Rick Allen, Dep. Dir., Georgia Drugs and Narcotics Agency
- Janet B. Wray, Board Attorney
- Anita O. Martin, Executive Director
- Laura Sturick, Board Secretary
- Gerald Kuhs, RPh., PetNet Pharmaceuticals, Inc.
- Shanna Cody, Intern, Legal Services, Professional Licensing Boards Division

Mr. Sherrer established that a quorum was present, and called the meeting to order at 10:00 A.M.

Mr. Lurey moved, Mr. Palmer seconded, and the Board voted to enter into EXECUTIVE SESSION in accordance with **O.C.G.A §§43-1-19(h)(2) and 43-1-2(k)** to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members Mr. Lane, Mr. Prather, Mr. McGee, Mr. Madden and Mr. Tatum.

At the conclusion of EXECUTIVE SESSION the Board returned to **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

APPOINTMENT (S)

- The Board met with **Norman K. Logan** and his attorney to discuss possible reinstatement.
- The Board met with **Charles Posey** and his attorney to discuss possible reinstatement.
- The Board met with **John R. Hodges** and his attorney to discuss possible reinstatement.
- The Board was to meet with **Cynthia Johnson** and her advocate, however, she cancelled her appointment March 13, 2003.

Mickey Tatum, Cognizant Board member reported on the following cases:

#02-0099, #03-02-02-049, #A03-0012, #03-0077, #03-0062, #A01-0089, #A03-07, #A-03-13, #A03-14, #A03-15, #A03-19, #A03-20, #A03-21, #A03-22, #A26515

Janet B. Wray, Attorney General's Office

- Presented 1 public consent order for acceptance for Bernard Moore.
- Mrs. Wray also reported on other cases in her office.

Bill Atkins, Director, Georgia Drugs & Narcotics Agency:

- Reported on proper notification to GDNA from Medical Board of dispensing physicians.
- Provided an update on cases in his office.
- Reported an audit update. Auditors will return April 3, 2003, John Sherrer will attend the meeting on the Board's behalf.

Applications

- Applications submitted for possible approval on **K.E.E., B.H.F., M.F.G., D.L.P., M.W.P., M.L.R., M.A.D., K.M.R., J.A., K.J.F., W.B.W., C.H.T., R.E.N., D.E., J.W.H., P.M.B., L.H.H., A.C.H., A.M.S., E.G., S.L.W., C.T.C., L.N.C., B.A.S., D.A.D. and H.T.B., E.F.B., J.T.G., D.A.D., J.N.L., R.S.L., K.S.M., J.H.M., P.H.M., H.D.M., J.L.M., K.C.R., N.J.S., S.S., M.L.T., T.W.W., J.J.**

Norman K. Logan: Mr. Prather made a motion to **deny** Mr. Logan's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board. Mr. Tatum, Mr. Madden and Mr. Palmer voted in opposition.

Charles Posey: Mr. Madden made a motion to **approve** Mr. Posey request for reinstatement of his pharmacist license upon completion of Board policy 3 (a), Guidelines for Reinstatement/Reactivation of Pharmacists' Licenses who have NOT been actively practicing pharmacy for the past four (4) years or longer. The motion was seconded by Mr. Lurey and was approved by the Board.

John R. Hodges: Mr. Lane made a motion to **deny** Mr. Hodge's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Prather and was approved by the Board.

The following votes were made in reference to the **Cognizant Member's** report:

#A02-0099: The cognizant member recommended **closing the case with a letter of concern and closing the case in the Attorney General's office.** Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

Shirley Adair, RPh: The cognizant member recommended **accepting** the public consent order signed by the pharmacist. Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Palmer and was approved by the Board.

#03-0012: The cognizant member recommended **referring the case to the Attorney General's office for the drafting of public consent order and to mimic Florida consent order.** Mr. Palmer made a motion to accept the recommendation. The motion was seconded by Mr. Prather and was approved by the Board.

#A03-0077: The cognizant member recommended that a **\$500 fine** be **imposed** for the pharmacist and the pharmacy involved with a **public consent order** for failure to offer patient counseling which resulted in a prescription miss-fill. The pharmacist must obtain 15 hours of additional continuing education of which 5 hours must be contact hours to include pharmacy law and patient counseling. Mr. Palmer made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#A03-0062: The cognizant member recommended **closing the case with a letter of concern.** Mr. Prather made a motion to accept the recommendation. The motion was seconded by Mr. Lane and was approved by the Board.

Daniel A. Smith, RPh.: The cognizant member recommended **accepting** the Voluntary Surrender signed by the pharmacist. Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#A03-07: The cognizant member recommended **referring the case to the Attorney General's office for the drafting of public consent order and to mimic Florida consent order but do not include the imposed fine.** Mr. Palmer made a motion to accept the recommendation. The motion was seconded by Mr. Prather and was approved by the Board.

#A03-13: The cognizant member recommended that **GDNA schedule an investigative interview immediately and to issue a cease & desist order if found to be non-compliant.** Mr. Lurey made a motion to approve the recommendation. The motion was seconded by Mr. Palmer and was approved by the Board.

#A-03-14: The cognizant member recommended **sending a voluntary surrender to the pharmacist.** Mr. Palmer made a motion to accept the recommendation. The motion was seconded by Mr. Prather and was approved by the Board.

James M. Giesler, RPh.: The cognizant member recommended **accepting the voluntary surrender** signed by the pharmacist. Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#A03-19: The cognizant member recommended **sending a Voluntary Surrender to the pharmacist.** Mr. Prather made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

J. Keith Harrington, RPh.: The cognizant member recommended **accepting the voluntary surrender** signed by the pharmacist. Mr. Lane made a motion to accept the recommendation. The motion was seconded by Mr. Lurey and was approved by the Board.

#A03-21: The cognizant member recommended **sending a voluntary surrender** to the pharmacist. Mr. Madden made a motion to approve the recommendation. The motion was seconded by Mr. Palmer and was approved by the Board.

#A03-22: The cognizant member recommended **issuing a public reprimand, \$500.00 fine and 6 months probation.** If the facility is not cleaned during the probationary period, the facility must close permanently. Mr. Lurey made a motion to approve the recommendation. The motion was seconded by Mr. McGee and was approved by the Board.

#A26515: The cognizant member recommended that **GDNA schedule an investigative interview.** Mr. Madden made a motion to approve the recommendation. The motion was seconded by Mr. Tatum and was approved by the Board.

The following votes were made in reference to **Mrs. Wray's** report:

Bernard Moore Mr. Lurey made a motion to **accept** the public consent order signed by Mr. Moore. The motion was seconded by Mr. Lane and was approved by the Board.

The Board made the following votes regarding the submitted applications:

- **K.E.E.:** Mr. Prather made a motion to **approve** the respondent's request for reinstatement of her pharmacist license and to allow a waiver of the late fee. The motion was seconded by Mr. Lurey and was approved by the Board.
- **B.H.F.:** Mr. Lurey made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.
- **M.F.G.:** Mr. Palmer made a motion to **approve** the respondent's request for reinstatement of her pharmacist license upon receipt of the reinstatement fee. The motion was seconded by Mr. Prather and was approved by the Board.
- **D.L.P.:** Mr. Lurey made a motion to **approve** the respondent's request for re-activation of his pharmacist license. The motion was seconded by Mr. McGee and was approved by the Board.
- **M.W.P.:** Mr. Lurey made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board.
- **M.L.R.:** Mr. Prather made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Tatum and was approved by the Board.
- **M.A.D.:** Mr. Palmer made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.

- **K.M.R.:** Mr. Lurey made a motion to **approve** the respondent's request licensure of his nuclear pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board.
- **J.A.:** Mr. Lurey made a motion to **allow** the applicant to sit for the reciprocity examination. The motion was seconded by Mr. Tatum and was approved by the Board.
- **K.J.F.:** Mr. Lane made a motion to **refer** the application to the GDNA and report their investigative findings to the Board at the next scheduled meeting. The motion was seconded by Mr. Madden and was approved by the Board.
- **W.B.W.:** Mr. Prather made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.
- **C.H.T.:** Mr. Lane made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. McGee and was approved by the Board.
- **R.E.N.:** Mr. Madden made a motion to **approve** respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.
- **D.E.:** Mr. Lane made a motion to **table** the respondent's request for reinstatement of her pharmacist license upon receipt of the renewal fee to and allow a waiver of the late fee. The motion was seconded by Mr. Tatum and was approved by the Board.
- **J.W.H.:** Mr. Palmer made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.
- **P.M.B.:** Mr. Madden made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Tatum and was approved by the Board.
- **L.H.H.:** Mr. Lurey made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board.
- **A.C.H.:** Mr. Prather made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.
- **A.M.S.:** Mr. McGee made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.
- **E.G.:** Mr. Prather made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. McGee and was approved by the Board.
- **S.L.W.:** Mr. Lurey made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board.
- **C.T.C.:** Mr. McGee made a motion to **deny** the respondent's request for variances because it was not requested by the PIC. The motion was seconded by Mr. Madden and was approved by the Board.
- **L.N.C.:** Mr. Prather made a motion to **table** the respondent's request for reinstatement of his pharmacist license until a meeting with the Board at the next available appointment. The motion was seconded by Mr. Tatum and was approved by the Board.

- **B.A.S.:** Mr. Lane made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board.
- **D.A.D.:** Mr. Prather made a motion to **table** the respondent's request for renewal of her pharmacist license until a meeting with the Board at the next available appointment. The motion was seconded by Mr. Tatum and was approved by the Board.
- **H.T.B.:** Mr. Madden made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Prather and was approved by the Board.
- **E.F.B.:** Mr. Madden made a motion to **approve** the respondent's request for approval of his reinstatement application. The motion was seconded by Mr. Lane and was approved by the Board.
- **J.T.G.:** Mr. McGee made a motion to **approve** the respondent's request for approval of his reinstatement application. The motion was seconded by Mr. Madden and was approved by the Board.
- **D.A.D.:** Mr. Lane made a motion to **schedule** an appointment to meet with the Board prior to approving the respondent's renewal application. The motion was seconded by Mr. Tatum and was approved by the Board.
- **J.N.L.:** Mr. Madden made a motion to **approve** the respondent's request for approval of his reinstatement application. The motion was seconded by Mr. Tatum and was approved by the Board.
- **R.S.L.:** Mr. Palmer made a motion to **approve** the respondent's request for approval of his reinstatement application. The motion was seconded by Mr. Lane and was approved by the Board.
- **K.S.M.:** Mr. Lurey made a motion to **approve** the respondent's request for approval of her reinstatement application. The motion was seconded by Mr. Prather and was approved by the Board.
- **J.H.M.:** Mr. Lurey made a motion to **approve** the respondent's request for approval of her reinstatement application. The motion was seconded by Mr. McGee and was approved by the Board.
- **P.H.M.:** Mr. Lane made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board.
- **H.D.M.:** Mr. McGee made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.
- **J.L.M.:** Mr. Madden made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Prather and was approved by the Board.
- **K.C.R.:** Mr. Lurey made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lane and was approved by the Board.
- **N.J.S.:** Mr. Palmer made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Madden and was approved by the Board.
- **S.S.:** Mr. Madden made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board.
- **M.L.T.:** Mr. Lane made a motion to **approve** the respondent's request for reinstatement of her pharmacist license. The motion was seconded by Mr. Lurey and was approved by the Board.

- **T.W.W.:** Mr. McGee made a motion to **approve** the respondent's request for reinstatement of his pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.
- **J.J.:** Mr. Lane made a motion to **approve** the respondent's renewal application. The motion was seconded by Mr. Tatum and was approved by the Board.

The Board met with Dr. Jim Wynn, Dean, South University School of Pharmacy, Dr. Cherry Jackson and Dr. Rusty Fetterman to discuss and receive clarification on the following areas:

- Clarified information re: intern licensure with 18-23 potential weeks per year to obtain the internship hours required outside of the school experience.
- Currently have pre-candidate accreditation status
- 1st graduating class will be June 2006 – approximately 60 students
- Classes are on the quarter system
- Curriculum from the school will allow for 1000 intern hours.
- Board requests a list of preceptors be submitted to the GDNA for approval.
- Board will mail the university an application for pharmacy school licensure.
- Students attend year round with 1-week break at the end of each quarter and a 2-week break at Christmas.

Letter by Patrick Pratt, re: K.W.C.: Mr. Palmer made a motion to **approve** the request supervised practice request. The motion was seconded by Mr. Prather and was approved by the Board.

Letter by Ronald L. Varner: Mr. Lurey made a motion to **approve** Mr. Varner's request to meet with the Board to discuss possible reinstatement at the next available meeting. The motion was seconded by Mr. Tatum and was approved by the Board.

Newly Licensed Pharmacists/Pharmacy Interns: Mr. Lurey made a motion to **ratify** all of the newly licensed pharmacists/pharmacy interns. The motion was seconded by Mr. Prather and was approved by the Board. (Attachment 1)

Letter by W. Carter Gorman, Eric Holgate & John Chafin: Mr. McGee made a motion to **request** that the specific suggested changes be submitted in writing to the Board prior to scheduling a meeting. The motion was seconded by Mr. Madden and was approved by the Board.

Letter by Gerald Kuhs, MS., & Steven Ziegler, PhD., Petnet Pharmaceuticals: Mr. Madden made a motion **approve** the request for variance 480-25-.06. The motion was seconded by Mr. Tatum and was approved by the Board.

Letter by US Dept. of Justice, re: Onyema A. Edeh, RPh.: No action was taken by the Board at this time.

Letter by US Dept. of Justice, re: Edobor Okosun, RPh.: No action was taken by the Board at this time.

Internship hours; Christopher W. Fleming: Mr. Lurey made a motion to **approve** the intern hours submitted by Mr. Fleming on a one (1) for two (2) basis. The motion was seconded by Mr. McGee and was approved by the Board.

Letter by Bonnie A. Watkins, RPh.: Mr. Madden made a motion to **approve** Ms. Watkins's request for a refund of the late renewal fee to be submitted to the Division Director for possible approval. The motion was seconded by Mr. Prather and was approved by the Board.

Letter by Robert D. Crawford, RPh.: Mr. Lane made a motion to **deny** Mr. Crawford's request for a refund of the late renewal fee. The motion was seconded by Mr. Palmer and was approved by the Board.

Letter by Darrell R. Newcomer, M.S., RPh., V.P., HATS: This item was viewed as informational by the Board.

Letter by Susan E. Janosky, V.P., Biogen US Corp.: This item was viewed as informational by the Board.

Letter by Carmen Catizone, E.D., NABP: This item was viewed as informational by the Board.

Letter by Thomas J. Barrett, RPh.: Mr. Lane made a motion to **approve** the respondent's request to meet with the Board to discuss possible reinstatement at the next available meeting and to notify him that a temporary nuclear pharmacist license is not available. The motion was seconded by Mr. Palmer and was approved by the Board.

Letter by Keith Sledge, RPh., Pharmaceutical Specialties: The Board **could not approve** the exemptions requested by Mr. Sledge because there is no application on file.

Letter by Melissa Madigan, NABP: The Board directed that a reply be sent to Ms. Madigan regarding Canadian Pharmacy graduates.

Survey by Melissa Madigan, NABP: This item was viewed as informational by the Board.

Letter by Michael LeBlanc, Director, Winn-Dixie Pharmacy: The Board directed that a reply be **sent** to Mr. LeBlanc advising him that central fill is not legal in Georgia.

Survey by Machele Gray, V.P., Buzzco/PDMA: The Board directed that a response be **sent** to Ms. Gray that the Board does not respond to surveys.

Fax by Jim Bartling, Mercer University: The Board directed that a response be **sent** to Mr. Bartling that the Board no longer uses the verification forms submitted.

R.A.P.: Mr. Lurey made a motion to **approve** the respondent's request to lift the probation restriction from his pharmacist license. The motion was seconded by Mr. Palmer and was approved by the Board.

Letter by B. Eliot Cole, MD, American Academy of Pain Mgmt.: The Board directed that response be **sent** to Dr. Cole advising him that the Board does not give legal advice.

Draft; February Minutes: Mr. Lane made a motion to **approve** the February minutes as presented. The motion was seconded by Mr. Tatum and was approved by the Board.

Letter by Mike Beyer; SureScripts: The Board directed that a response be **sent** to Mr. Beyer referring him to Board Policy #7, Electronic Drug Orders.

Wall Certificates: Mr. Lane made a motion to **decrease** the application fee & have applicants for licensure submit a \$50.00 fee for the decorative wall certificate when they apply for initial licensure. The motion was seconded by Mr. Palmer and was approved by the Board.

Letter by Susie VonCannon, RN: The Board directed for the Board office to **notify** Ms. VonCannon to direct her questions regarding nurse dispensing to the Medical Board for clarification.

Anita Martin, Executive Director:

- Provided information on Community Health Workforce Survey long forms
- Reported information re: District III meeting from David Hawkins
- Distributed memo from Bob Ray, re: budget restrictions

Mr. Lane made a motion to **send** a letter to Bob Ray to request conducting Board meetings in Atlanta until Budget issues can be resolved. The motion was seconded by Mr. McGee and was approved by the Board.

- Provided information regarding federal student loan default appeal process.
- Provided information regarding Callaway Gardens for MALTAGON meeting.
- Distributed copies of draft pharmacy renewal applications for review.

There being no further business to be discussed, the meeting was adjourned at 4:30PM.